



**Department of Labor
Center for Faith-based and Neighborhood Partnerships (CFBNP)
Partnership Opportunities For Organizations and Communities**

TO: ALL GRANTEES

FROM: TERESA GERTON, DIRECTOR, CENTER FOR FAITH-BASED AND NEIGHBORHOOD PARTNERSHIPS

SUBJECT: GUIDANCE ON PROTECTIONS FOR AND OBLIGATIONS OF ORGANIZATIONS THAT ADMINISTER SOCIAL SERVICE PROGRAMS SUPPORTED BY DOL FINANCIAL ASSISTANCE

This fact sheet informs all Department of Labor program grant staff and staff of faith-based and neighborhood organizations that receive Federal financial assistance about the religious liberty protections for both grantees and beneficiaries as well as the obligations grantees hold for receiving Federal financial assistance. These protections and obligations are derived from E.O. 13559 and DOL's implementing regulations at 29 CFR Part 2, and do not limit or invalidate other protections and obligations that may be required by specific DOL financial assistance programs.

Protections

- In the administration or distribution of DOL financial assistance under social service programs, governmental officials and bodies must not discriminate for or against organizations based on their religious character or affiliation, or lack thereof.
- Organizations must be permitted to compete for DOL financial assistance used to support social service programs and to participate fully in the social service programs supported with Federal financial assistance without impairing their independence, autonomy, expression outside the programs in question or religious character.
- Organizations may retain their independence and ability to carry out their missions, including the definition, development, practice, and expression of their religious beliefs, provided that organizations do not use direct Federal financial assistance to support any explicitly religious activities (including activities involving overt religious content such as worship, religious instruction, or proselytizing) or in any other manner prohibited by law.
- Organizations may conduct privately funded religious activities that are separated in time or location from activities funded by direct DOL financial assistance and are purely voluntary for beneficiaries of such assistance.
- Organizations may use their facilities to provide social services supported with DOL financial assistance, without removing or altering religious art, icons, scriptures, or other symbols from these facilities.

- Organizations may retain religious terms in organizational names, select board members on a religious basis, and include religious references in organizational mission statements and other chartering or governing documents.

- Organizations must not be subjected to regulation or monitoring that would create excessive entanglement between the government and religious entities.

Obligations

- Organizations must not discriminate against beneficiaries or prospective beneficiaries on the basis of religion or religious belief or a refusal to attend or participate in a religious practice.

- Organizations must conduct their outreach activities in ways that do not favor or disfavor prospective beneficiaries based on their religious beliefs or lack thereof.

- Organizations must provide beneficiaries or prospective beneficiaries with written notice of their rights prior to the time they enroll in programs supported by direct Federal financial assistance.

- Organizations that offer activities that are supported by direct DOL financial assistance as well as privately funded explicitly religious activities (activities involving overt religious content such as worship, religious instruction or proselytization) must separate, in time or location, these privately funded explicitly religious activities from any programs or services supported with direct DOL financial assistance and ensure that beneficiaries' participation in such programs is voluntary.

- If a beneficiary or prospective beneficiary objects to the religious character of an organization that provides services under the program, the organization must promptly undertake reasonable efforts to identify and refer the beneficiary to an alternative provider. If the organization is unable to identify an alternative provider, the organization must maintain a record and promptly notify DOL or an intermediary entity.

- Organizations that receive DOL financial assistance must comply with applicable laws and regulation. By virtue of their acceptance of such assistance, organizations also agree to appropriate monitoring and enforcement of these standards.